

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

ITC MIDWEST LLC,  Petitioner,  v.  IOWA UTILITIES BOARD, A DIVISION OF THE DEPARTMENT OF COMMERCE, STATE OF IOWA,  Respondent.	Case No. CVCV063439  <b>JOINT MOTION TO EXTEND STAY</b>
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On September 21, 2022, the Court issued an order denying the Iowa Utilities Board's ("Board") motion to dismiss, but granting the parties a 30-day stay to attempt to resolve the dispute. On October 5, 2022, the Board opened a rulemaking docket, RMU-2022-0001, and posted draft rules for stakeholder input. ITC Midwest, LLC ("ITC Midwest") acknowledges that the rules, as drafted, would represent a substantial step toward resolving the issues in its Petition. ITC Midwest does intend to participate in the process and reserves the right to suggest modifications. Initial comments from stakeholders are due November 7, 2022; reply comments are due November 21.

ITC Midwest and the Board both agree that (a) the parties will have more information on the likely path of the rulemaking once all comments are received and reviewed; and (b) the full rulemaking will still take some time to complete. Nonetheless, both parties continue to believe that the rulemaking provides a path for a potential resolution that could avoid the need for a final order from the Court.

**Accordingly, ITC Midwest and the Board jointly request that the Court extend the stay for an additional 90 days to January 20, 2023.** A 90-day extension will allow a better analysis of the likelihood that the matter can be resolved between the parties, and even if the rulemaking is not completed it will require the parties to update the court and seek additional time if necessary at a reasonable increment.

Respectfully submitted this 20th day of October, 2022.

By: /s/ Bret A. Dublinske

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